IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

WP(C).No. 11737 of 2007(V)

PETITIONER:

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1. HAMZA, S/O.ABDUL RAHMAN, VETTUVANCHERRY PARAMBIL, MOOCHIKKAL, P.O.MEENADATHUR, TIRUR TALUK, MALAPPURAM DISTRICT.

2. KUNHU MEENADATHUR, S/O.ALIYAMMU, MOOCHIKKAL, POST MEENADATHUR, TIRUR TALUK, MALAPPURAM DISTRICT.

BY ADV. SRI.T.KRISHNAN UNNI

RESPONDENTS:

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1. TANALUR GRAMA PANCHAYATH, REPRESENTED BY ITS SECRETARY, TANALUR, MALAPPURAM DISTRICT.

2. BHARATHI AIRTEL PVT.LTD., SAHODARAN AYYAPPAN ROAD, KOCHI.

3. KERALA STATE POLLUTION CONTROL BOARD, REPRESENTED BY ITS CHIEF ENVIRONMENTAL ENGINEER, MALAPPURAM.

4. KANDATHIL ABDUL RASHEED, S/O.POCKER, POST THALAKADATHUR, MALAPPURAM DISTRICT.

BY ADV. SRI.SANTHOSH MATHEW
SRI.SANTHOSH MATHEW
SRI.CHANDRAMOHAN DAS
SRI.SATHISH NINAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO.11737 of 2007

Dated this 11th day of April, 2007

JUDGMENT

Controversy as to whether the tower has been energized continues. Sri.Santhosh Mathew, the learned counsel for the 2nd respondent submits that though it was energized earlier, in view of the pendency of the writ petition the same has been put off.

I do not propose to go into the merits of the grounds raised. Ext.P2 has been submitted by the petitioners before the Panchayat as well as the Pollution Control Board. The Panchayat will take up Ext.P2, get remarks of the 3rd respondent Pollution Control Board, hear the petitioners as well as the 2nd respondent company and take a decision. Decision as directed above will be taken at the earliest, at any rate, within two weeks of receiving a copy of this judgment.

PIUS C.KURIAKOSE

Judge

dpk